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TRANSFER TAX PAID

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QUITCLAIM DEED WITH COVENANT Maine Statutory Short Form

033631

Know All Persons by These Presents, That

HD WATERVILLE COMMONS ASSOCIATES, L.L.C., an Ohio limited liability company, for consideration paid, grants to HOME DEPOT U.S.A., INC., a Delaware corporation, whose mailing address is 2455 Paces Ferry Road, Atlanta, GA 30339 with quitclaim covenant, the land in Waterville, County of Kennebec, State of Maine, described on the attached EXHIBIT A.

In Witness Whereof, the said HD Waterville Commons Associates, L.L.C. has caused this instrument to be signed and sealed by June Fotio , its Vice President hereunto duly authorized, this 15th day of the month of October 2002.

Signed, Sealed and Delivered in presence of

HD Waterville Commons Associates, L.L.C.

By: OM Minot Associates, L.L.C. Its Managing Member

By: OM Minot Capital Corp. Its Managing Member

By: June Futia Its: Vice President

Witness

Witness

(1) Atlantic Title

State of Ohio County of Stark	October 15, 2002
Then personally appeared the above named <u>June</u>	Futia the
Vice President of OM Minot Capital Corp., Managir	ng Member of OM Minot
Associates, L.L.C., Managing Member of HD Waterv. L.L.C., Grantor as aforesaid, and acknowledged the fo	
his/her free act and deed in his/her said capacity, and the	e free act and deed of said

Corporation.

Before me,

Notary Public

Printed Name: Rene 5. Tatka

My commission Expires: July 5, 2007

Pone S. Tatka, Notary Public

Rene S. Tatka, Notary Public State of Ohio, Stark County My Commission Expires July 5, 2007 6180-3

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Exhibit A - Property Description

61-80-3

A certain lot or parcel of land situated in the City of Waterville, County of Kennebec and State of Maine, more particularly described as follows:

Commencing on a point depicted on a plan entitled STANDARD BOUNDARY SURVEY- SHOWING TAX MAP LOTS 61-40, 61-50, 61-60, 61-70, 61-80, 62-3 AND A PORTION OF 61-90 – IN WATERVILLE, MAINE – KENNEBEC COUNTY, prepared for Cedarwood Development, Inc., prepared by James W. Sewall Company, dated July 21, 1999, as the southeasterly corner of a parcel of land now or formerly of Foresite, Inc. Said parcel being depicted on the City of Waterville Tax Assessor Map 61 as Lot 80. Said point is marked by a rebar with a cap marked "1132", 0.9 feet above ground, thence:

N 51° 32' 23" W a distance of one thousand one hundred fifty and 56/100 (1150.56) feet, to a point at the southeasterly corner of the herein described parcel. Said point being the Point of Beginning;

Thence N 85° 10' 19" W a distance of eleven and 91/100 (11.91) feet, to a point;

Thence N 40° 01' 29" W a distance of twenty five and 99/100 (25.99) feet, to a point;

Thence N 85° 09' 53" W a distance of two hundred eighteen and 57/100 (218.57) feet to a point;

Thence N 25° 19' 23" W a distance of forty six and 26/100 (46.26) feet, to a point;

Thence N 85° 09 53" W a distance of three hundred three and 86/100 (303.86) feet to a point;

Thence N 04° 50' 07" E a distance of five hundred seventy nine and 27/100 (579.27) feet to a point;

Thence N 08° 35′ 18" E a distance of one hundred sixty nine and 41/100 (169.41) feet to a point;

Thence S 85° 09' 53" E a distance of two hundred ninety three and 58/100 (293.58) feet to a point;

Thence N 23° 52' 11" E a distance of twenty five and 54/100 (25.54) feet to a point;

Thence S 85° 09' 53" E a distance of two hundred forty six and 34/100 (246.34) feet to a point;

Thence S 34° 38' 54" E a distance of twenty five and 91/100 (25.91) feet to a point;

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Exhibit A - Property Description - continued

Thence N 62° 08' 55" E a distance of twenty and 01/100 (20.01) feet to a point;

61-80-3

Thence S 04° 50′ 06" W a distance of two hundred eighty four and 57/100 (284.57) feet to a point;

Thence N 85° 09' 54" W a distance of sixteen and 81/100 (16.81) feet to a point;

Thence S 04° 49' 41" W a distance of five hundred thirty seven and 12/100 (537.12) feet, to the Point of Beginning.

Said parcel is shown on a plan entitled "Subdivision Plat- Waterville Commons, Route 104 a.k.a. Main Street, City of Waterville, Kennebec County, State of Maine", prepared by Survey & Geodetic Consultants, Inc. and dated March 8, 2001, revised through March 27, 2001, and recorded in the Kennebec County Registry of Deeds in Book E-2001, Pages 035 and 036.

Said parcel is also shown on a plan entitled "ALTA/ACSM Land Title Survey, Part of Tax Map 61 Lot 50 & 80, Home Depot Parcel, Route 104 a.k.a. Main Street, City of Waterville, Kennebec County, State of Maine" prepared for Cedarwood Development, Inc. by Survey & Geodetic Consultants, Inc., dated March 16, 2001.

Being the same premises conveyed to the Grantor herein by virtue of a deed from OM Crystal River Associates, L.L.C. and OM Minot Associates, L.L.C., dated May 1, 2001 and recorded in the Kennebec County Registry of Deeds in Book 6481, Page 83.

TOGETHER WITH appurtenant easement rights for access and utilities as set forth in a Reciprocal Easement and Operation Agreement ("REA") by and between Waterville Commons Associates, L.L.C., WCCA Associations, Inc., HD Waterville Commons Associates, L.L.C. and Home Depot U.S.A., Inc., dated June 22, 2001, and recorded in the Kennebec County Registry of Deeds in Book 6526, Page 154.

By conveyance and acceptance of this deed the Grantor and Grantee herein acknowledge and agree that a certain Ground Lease dated June 22, 2002 by and between the Grantor and Grantee as referenced in a Memorandum and Notice of Ground Lease and Purchase Agreement by and between HD Waterville Commons Associates, L.L.C., Landlord, and Home Depot U.S.A., Inc., Tenant, dated June 22, 2001 and recorded in the Kennebec County Registry of Deeds in Book 6526, Page 200 is hereby terminated.

11757 quitclaim deed.doc

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MEST: Beauty Auchir Hattleman

REGISTER OF DEEDS